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SUBJECT: Government approves, begins implementation of
MONUC's non-negotiable Plan for Disengagement;
CNDP remains obdurate

REFTEL: Kinshasa 759

1. (SBU) Summary: MONUC, with support from the international facilitation (U.S., EU), unveiled September 18 to the GDRC a North Kivu disengagement plan which the government has accepted and begun to implement. The plan calls for withdrawal from forward positions occupied August 28-29. Implementation of the plan's initial phase (reaffirmation of the cease-fire) began September 18 ("D Day"). The plan is non-negotiable and thus will not be submitted to armed groups for their approval, although the Government is willing to discuss certain technical aspects of its implementation. At a meeting with the facilitation team at Kimoka September 17, CNDP refused any military discussions except in the wider context of direct talks with the government on a new structure to replace the Amani program. End summary.

MONUC's Disengagement Plan

2. (SBU) In a series of meetings with senior government officials, including with President Kabila on the afternoon of September 17, SRSG Doss and MONUC military-political staff, in close collaboration with the EU (special envoy Van de Geer) and the U.S. (Embassy Kinshasa DCM Brock) elaborated a draft plan for disengagement in North Kivu (i.e., all areas of conflict involving the CNDP). The plan had been requested by Kabila at a meeting in Goma with MONUC and P-5 ambassadors on September 14 (reftel). Doss, again with the EU and U.S., presented a refined plan to a government team led by National Assembly President Vitale Kamerhe on September 18. The government issued a statement the same day endorsing the MONUC plan and announcing its implementation immediately by reaffirming the ceasefire (the plan's first phase). Copies of the plan and its timetable have been e-mailed to the Department (AF/C and Front Office) to embassies Kigali and Kampala.

3. (SBU) Details such as exact width and location of the separation zones are yet to be worked out (MONUC and FARDC are to begin preparation of a "master map" on September 22). MONUC recommends a five-kilometer zone around villages and three kilometers around key axes, but there will be flexibility for lesser widths in other areas depending on the terrain. (Note: A narrower zone, for example one kilometer as recommended by Deputy Chief of Staff Col. Cunliffe, would be much easier for North Kivu brigade's limited forces to monitor, but effective separation will require wider zones at least around towns and roads. End note.)

4. (SBU) The plan calls for withdrawal of forces sequentially from east to south to west to north. At "D-Day" (September 18) plus 4 (i.e., September 22) redeployment is to begin in the eastern (Rutshuru corridor) area, to include FARDC withdrawal from positions occupied August 28-29 in the previously informal buffer zone (Ntamugenga, Mutabo, and Kisherero). According to the plan's timetable, redeployment (withdrawal) is then to occur in three-day

increments in the south (Ngungu area), the west (between Masisi and Kirolirwe/Kitchanga), and the north (Mweso to Bambu to Tongo).

15. (SBU) The plan calls for FARDC battalions trained by 55 MONUC for action against FDLR (some of which were recently diverted for action against CNDP) to return to previous positions, and these are to resume anti-FDLR operations ("Operation Kimia") by D plus 16 (i.e., October 4).

16. (SBU) The plan, under the title "Comprehensive Plan for Disengagement in North Kivu," includes actions beyond strict disengagement (separation of forces). The summary which MONUC presented to the government September 18 introduced a "Phase 2" calling for construction of regroupment centers with eventual DDR and brassage. The calendar, however, recognizes that no such centers have been built.

17. (SBU) In the discussion September 18 between the GDRC, MONUC and the international facilitation SRSG Doss stressed that the FDLR track remained urgently important and that the Operation Kimia battalions of the FARDC should return to their initial mission as soon as possible. He contemplated that MONUC would produce daily reports on ceasefire violations, pending establishment of an independent monitoring mechanism. Brock said the U.S. would work closely with MONUC and the GDRC to help design and staff the monitoring mechanism. Doss said sanctions against ceasefire violators could involve use of force, although MONUC would employ persuasion whenever possible. (Force Commander General Gaye noted that attack helicopters, which had not been used in recent action against CNDP, were available for compelling compliance with zones of separation.) Doss said he would push for DDR where feasible.

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18. (SBU) Kamerhe said the government was "very satisfied" with the plan. In its general principles, the plan was non-negotiable, he said, just as the Amani program in its general principles was non-negotiable, although there could be flexibility with CNDP on technical aspects or other details. Responding to the CNDP demand that the government show good will, Kamerhe said that in fact the government was doing much, including committing to withdraw from Ntamugenga, Mutabo, and Kisherere, which he said MONUC must occupy upon FARDC's withdrawal. On amnesty, Kamerhe said that the National Assembly had approved a draft law but the Senate would not do so as long as the CNDP continued its attacks. Hostilities must end also for progress to be made on returning IDP's or refugees to their homes. DRC had committed five million dollars to IDP return, as well as 6.5 million dollars to building "regroupment centers. Kamerhe noted that the big question remained how to get the CNDP on board.

CNDP Obdurate

19. (SBU) Earlier on September 17 the international facilitation team, led by EU Special Envoy van de Geer and enlarged by a MONUC military officer, traveled to Kimoka (neutral zone north of Sake) to convey to CNDP the outlines of MONUC's draft plan for disengagement.

(Note: The team had some concern about its safety, as the FARDC had brought heavy armaments into the area September 16 and had been firing from near Sake into the hills near Kiotshe, but this activity had ceased. End note.) The CNDP team, led by Kambasu Ngeve, was over two hours late, and van de Geer had to depart before CNDP arrived. Van de Geer later joined SRSG and DCM Brock for a meeting with President Kabila. Van de Geer told Kabila that the international facilitation appeared to have hit an impasse with CNDP and that the government needed to make its own efforts in contacting CNDP. Brock told the president that Nkunda was refusing to speak to Tim Shortley, special advisor to Assistant Secretary Frazer for Conflict Resolution, and had even accused Shortley of "no longer working for the U.S. Government but working instead for the Government of the Democratic Republic of the Congo." Kabila and his entourage (including National Assembly president, ministers of Interior, Foreign Affairs, and Defense, and senior FARDC officers) reacted with hearty laughter.

¶10. (SBU) Kambasu told the facilitation team that MONUC's draft plan, in its general principles, did not appear to differ much from CNDP's overall vision. CNDP had previously called for a four-kilometer zone of separation, while this plan appeared to call for three to five. However, he and other members of the CNDP insisted that this plan could only be considered "in the context of a new structure." CNDP had signed the Acte d'Engagement and not the Amani program, and it rejected the Amani program and called for a new framework ("cadre"). CNDP could not agree to even military discussions without direct dialogue with the government to define a new political structure. CNDP in the past few days had been repeatedly attacked by FARDC and its proxy forces in the Ngungu/Kirtoshe area, and now FARDC and its proxies were attacking at Rubaya, Kahundu, and Katoyi (three points along CNDP's western "frontier").

¶11. (SBU) CNDP continued that it had received no response to the demands it presented in the meeting with van de Geer and the facilitation team on September 13 (new framework, freeing new and old prisoners, unacceptable declarations by Minister of Defense and others, return of FARDC to previous positions, MONUC protecting areas from which CNDP withdraws, and FDLR battalions reinforcing FARDC). Kambasu complained that he felt "offended" that the facilitation was so insistent on meeting a Tutsi such as Nkunda, and he said that CNDP might reach a point of not recognizing the government. The facilitation team attempted, without success, to persuade this CNDP team that a completely new structure was out of the question but that there was much flexibility within it (as evidenced by CNDP's agreement August 26 to limited working groups on disengagement) and that the government had made a very positive gesture in the offer of direct military talks at Kimoka.

¶12. (SBU) After this meeting, CNDP member Bisimwa called Deputy Eastern Coordinator Ladjouzi to confirm that CNDP rejected any talks that did not take place within a "new cadre." He asserted that MONUC was no longer acceptable as mediator and that Kimoka was no longer acceptable as a neutral location for bilateral talks (due to FARDC's recent move of heavy machinery into Sake). On September 18, CNDP member Muiti called poloff to say that CNDP urgently wanted to engage in talks with the government "within another cadre," with the U.S. as preferred mediator, in Nairobi or Addis Ababa. He said that

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FARDC was "heavily bombarding" CNDP in its western sector and CNDP urgently wanted these attacks to be stopped. He said CNDP had captured an FDLR fighter which it could present. (In its military briefing on the afternoon of September 18, North Kivu brigade confirmed that there had been "some firing" northeast of Masisi during the day, which had produced a movement of "many IDPs" toward Mushake.)

¶13. (SBU) Meanwhile, on instructions from Kabila, Amani Coordinator Malu Malu tapped Bizima Karaha and Emmanuel Kamanzi (prominent loyal Congolese Tutsis with connections to CNDP) to make contact with CNDP and set up a direct government-CNDP meeting to discuss the disengagement plan. As of COB September 18, there was no indication that Karaha and Kamanzi had succeeded in setting up such a meeting.

¶14. (SBU) At MONUC's daily military briefing at 16:00 September 18, the facilitation was informed that MONUC force commander Gaye would return to Goma over the weekend and would seek to hold separate consultations on the disengagement plan with CNDP, PARECO and other armed groups, as well as continuing consultations with FARDC. Assembly President Kamerhe and the other key ministers, as well as SRSB Doss, are expected to return to Goma on September 22 to announce the formal launch of the plan (though actual "D day" in relation to the plan's calendar was today, September 18), then proceed to Bukavu on September 23 for a meeting of the Amani Steering Committee focused on South Kivu demilitarization and disengagement. International Facilitation representatives at those meetings will include the EU (Jean-Michel Dupont) and the U.S. (DCM Brock).

GARVELINK